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Rebekah Charleston; Angela Delgado-Williams;
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

REBEKAH CHARLESTON; ANGELA
DELGADO-WILLIAMS; and LEAH
ALBRIGHT-BYRD;

Plaintiffs,

vs.

STATE OF NEVADA; STEVE SISOLAK,
in his capacity as Governor of the State of
Nevada, and the
LEGISLATURE OF THE STATE OF
NEVADA;

Defendants.

Case No.: 3:19-cv-00107-MMD-WGC

**STIPULATION AND ORDER TO EXTEND
DISCOVERY DEADLINES AND
SCHEDULING ORDER**

**SPECIAL SCHEDULING REVIEW
REQUESTED**

(FIRST REQUEST)

Pursuant to Local Rules IA 6-1 and 26-4, Plaintiffs Rebekah Charleston, Angela Delgado-Williams, and Leah Ablright-Byrd (collectively "Plaintiffs"), and State of Nevada; Steve Sisolak, in his capacity as Governor of the State of Nevada; and the Legislature of the State of Nevada, (Collectively "Defendants") by and through their respective attorneys of record, hereby stipulate to extend the outstanding discovery deadlines in the Stipulated Discovery Plan and Scheduling Order (Special Scheduling Review Requested) (**ECF No. 43**) for a period of ninety (90) days. This is the first request for an extension to the discovery plan and scheduling order in this matter. The requested

1 extension is sought in good faith and not for purposes of undue delay. Further, this request is supported
2 by good cause. The Parties respectfully request the Court's approval to deviate from the default dates
3 of Local Rule 26-I (b) to account for the procedural posture of the case, including the following two
4 pending dispositive motions where jurisdictional issues are raised: State of Nevada and Steve Sisolak's
5 Motion to Dismiss First Amended Complaint (ECF No.22); and The Legislature of the State of
6 Nevada's Motion to Dismiss First Amended Complaint (ECF No. 31). Additionally, there are two
7 pending Motions to Intervene: *Motion to Intervene as Defendants*, filed by Cash Processing Services,
8 Inc. and Lance Gilman (ECF No. 11), and *Intervenor's Notice of Motion and Motion to Intervene as*
9 *Party Defendant, with Memorandum and Points and Authorities*, filed by Russell Greer (ECF No. 45).

10 **DISCOVERY COMPLETED TO DATE**

11 **1. Fed. R. Civ. P. 26(a) Initial Disclosures:**

12 Pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule of Court 26-1(d), on May
13 24, 2019, Jason Guinasso, Esq. counsel for Plaintiff, Gregory Zunino, counsel for Defendants State of
14 Nevada and Governor Steve Sisolak, and Kevin Powers, counsel for Defendant Legislature of the State
15 of Nevada conducted a meeting to discuss the relevant issues for discovery, possible early resolution
16 of the matter, and other pertinent issues. During this conference the parties stipulated to proposing a
17 special discovery plan and scheduling order by adding 90-days to each deadline. On September 3,
18 2019, the parties conferred and agreed in order to ensure judicial economy and allow for all parties to
19 participate in discovery, the parties believe the outstanding motions should be decided before
20 discovery commences. Pursuant to these discussions, the parties propose adding an additional 90-days
21 to each discovery deadline.

22 **DISCOVERY THAT REMAINS TO BE COMPLETED**

23 The parties have not exchanged initial disclosures, and all other discovery including
24 depositions and written discovery have not commenced, in contemplation of the pending the decisions
25 on the outstanding dispositive motions listed above.
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DISCOVERY THAT REMAINS TO BE COMPLETED

As previously stated, the parties have not begun discovery in this case. If the merits of the case survive the pending dispositive motions, the parties anticipate depositions will need to be taken of Plaintiff and fact witnesses after written discovery has been completed.

DISCOVERY THAT REMAINS TO BE COMPLETED

As previously stated, the parties agree in order to ensure judicial economy and allow for all parties to participate in discovery, the parties believe the outstanding motions should be decided before discovery commences. Pursuant to these discussions, the parties propose adding an additional 90-days to each discovery deadline.

PROPOSED REVISED DISCOVERY PLAN:

1. Initial Disclosures:

The initial disclosure deadline shall be extended from Thursday, September 5, 2019 to *Wednesday, December 4, 2019*.

2. Discovery Cut-Off Date:

The discovery cut-off deadline shall be extended from Monday, December 30, 2019 to *Monday, March 30, 2020*,¹. Discovery will take (362) days from April 3, 2019, which is the date of Defendants State of Nevada and Steve Sisolak's Motion to Dismiss First Amended Complaint.

3. Amending the Pleadings and Adding Parties:

The date for filing motions to amend the pleadings or to add parties shall be extended from Tuesday, October 1, 2019 to *Monday, December 30, 2019*.

4. Fed. R. Civ. P. 26(a)(2) Disclosures (Experts):

The expert disclosure deadline shall be extended from Thursday, October 31, 2019 to *Wednesday, January 29, 2020*, and the deadline for disclosures identifying rebuttal experts shall be extended from Monday, December 2, 2019 to *Monday, March 2, 2020*².

¹ With respect to the discovery cut-off date, the deadline falls on Sunday, March 29, 2020. As a result, the discovery cut-off deadline extends to the next Court day of Monday, March 30, 2020.

² With respect to the deadline for disclosures identifying rebuttal experts date, the deadline falls on Sunday, March 1, 2020. As a result, the disclosures identifying rebuttal experts deadline extends to the next Court day of Monday, March 1, 2020.

5. Dispositive Motions:

The dispositive motions deadline shall be extended from Wednesday, January 29, 2020 to ***Tuesday, April 28, 2020.***

6. Pretrial Order:

The Joint Pre-Trial Order deadline shall be extended from Friday, February 28, 2020 to ***Thursday, May 28, 2020.***

7. Fed. R. Civ. P. 26(a)(3) Disclosures:

The deadline to file the disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections thereto with the Pretrial Order pursuant to LR 26-1(e)(6) in the Joint Pretrial Order shall be extended from Friday, February 28, 2020, to ***Thursday, May 28, 2020.***

8. Interim Status Report:

The deadline to file the Interim Status Report shall be extended from Thursday, October 31, 2019 to ***Wednesday, January 29, 2020.***

Accordingly, the parties stipulate to the following revised schedule.

Deadline	Current Deadline	Revised Deadline
Initial Disclosures	Thursday, September 5, 2019	<i>Wednesday, December 4, 2019</i>
Discovery Cut-Off	Monday, December 30, 2019	<i>Monday, March 30, 2020</i>
Motions to Amend the Pleadings or to Add Parties	Tuesday, October 1, 2019	<i>Monday, December 30, 2019</i>
Expert Disclosures	Thursday, October 31, 2019	<i>Wednesday, January 29, 2020</i>
Rebuttal Expert Disclosures	Monday, December 2, 2019	<i>Monday, March 2, 2020</i>
Dispositive Motions	Wednesday, January 29, 2020	<i>Tuesday, April 28, 2020</i>
Joint Pre-Trial Order	Friday, February 28, 2020	<i>Thursday, May 28, 2020</i>
Fed. R. Civ. P. 26(a)(3) Disclosures and any Objections thereto with the Pretrial Order	Friday, February 28, 2020	<i>Thursday, May 28, 2020</i>
Interim Status Report	Thursday, October 31, 2019	<i>Wednesday, January 29, 2020</i>

1
2 DATED this 5th day of September, 2019.
3 HUTCHISON & STEFFEN, PLLC
4 By: /s/ **Jason Guinasso**

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12 *Attorney for Plaintiffs*

DATED this 5th day of September, 2019.
AARON D. FORD
ATTORNEY GENERAL

By: /s/ **Gregory L. Zunino**
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DATED this 5th day of September, 2019.
NEVADA LEGISLATIVE COUNSEL
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By: /s/ **Kevin Powers**

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Attorneys for Defendant
Legislature of the State of Nevada

16 **IT IS SO ORDERED.**

17 Dated this _____ day of _____, 2019.

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21 UNITED STATES JUDGE
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